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THE ANDHRA PRADESH GAZETTE

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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

COMMANDANT, HQRS, A. P. SPECIAL PROTECTION FORCE, TIRUPATI.

SHOW CAUSE NOTICE ISSUED TO Sri K.V. SUDHAKAR, CT-2831 OF APSPF, SDSTPS, SUB-UNIT: NCCPPL, NELLORE.

Ref :- 1) Proceedings: Rc.No.02/A3/Comdt.Hqrs/APSPF/TPT/2018, O.O.No.589/2018, dated: 21.05.2018 of this Office.

2) Charge Memo: Rc.No.02/A3/Comdt.Hqrs/APSPF/TPT/2018, dated: 20.03.2018 of this Office.

3) C.No. 15/AC/APSPF/UCIL/OE-CT-2831 /2018/D.No. 1661, dated: 21.06.2018 of the Inspector, APSPF, UCIL Thummalapalle.

Rc.No.02/A3/Comdt.Hqrs/APSPF/TPT/2018,- In the reference 1st cited, an Oral Enquiry was ordered against you in connection with the Article of Charge framed vide reference 2nd cited. Now the Enquiry Officer Sri K. Radha Krishna, Inspector, APSPF, UCIL Thummalapalle has submitted Oral Enquiry report duly "**Proved**" the Article of Charge vide reference 3rd cited. A copy of the enquiry report is sent herewith, with instructions to submit your final explanation if any, in order to dispose off the Oral Enquiry.

Your explanation should reach this office within (10) days from the date of receipt of this Memo, failing which, the O.E. will be disposed off basing on the merits.

Sd/-,
Commandant, Hqrs,
A.P. Special Protection Force,
Tirupati.

Date: 02-07-2018.

ENQUIRY REPORT IN THE DEPARTMENTAL ENQUIRY HELD AGAINST SRI K.V.SUDHAKAR. CT-2831. APSPF UNIT, SDSTPS. SUB-UNIT NCCPPL. NELLORE

C.No.I5/AC/APSPF/UCIL/OE/2018/D.No.1661

1. Under Sub rule - 2 of Rule 20 of A P Civil Services (CC&A) Rules 1991, I have been appointed by Commandant, APSPF Hqrs, Tirupathi as Enquiry authority to inquire into the charges framed against Sri K. V. Sudhakar, CT-2831, APSPF, SDSTPS SUB-UNIT, NCCPPL, Nellore, vide proceedings, RC.No: 02/A3/Comdt. Hqrs/APSPF/TPT/2018, O.o No:589/2018, Dated:24.05.2018. I have since completed the Enquiry report as under: -
2. No presiding officer has been appointed.
3. The Accused Government Servant Sri K. V. Sudhakar, CT-2831, APSPF, SDSTPS SUB-UNIT, NCCPPL, Nellore, did not attended the OE.
4. The following article of charges framed against Sri K. V. Sudhakar, CT-2831, APSPF, SDSTPS SUB-UNIT, NCCPPL, Nellore.

ANNEXURE-I

Statement of Article of charge framed against Sri K. V. Sudhakar, CT-2831, APSPF, SDSTPS SUB-UNIT, NCCPPL, Nellore,

ARTICLE-I

That the said Sri K.V. Sudhakar, CT-2831 was passported to avail Medical Leave for a period of (14) days w.e.f.15.03.2017 AN to 29.03.2017 AN. Even after expiry of the said leave, he did not attend for duties and absenting the duties unauthorizedly w.e.f. 29.03.2017 AN by adopting irregular procedure for extending sick leave which amounts to willful absence.

By the above act, he has exhibited gross misconduct and negligence towards his legitimate duties, which is un-becoming of a Government servant thereby violating Rule-3 of APSCS (Conduct) Rules-1964.

ANNEXURE- II

List of Documents:-

- 1) C.No.03/AC/APSPF/SDSTPS/NLR/ML/D.No. 182/2017, Dated: 16.03.2017 of the Asst. Commandant , APSPF, SDSTPS, Nellore.
- 2) C.No.03/AC/APSPF/SDSTPS/NLR/ML/D.No.240/2017, Dated:04.04.2017 of the Asst. Commandant, APSPF, SDSTPS, Nellore.
- 3) C.No.03/AC/APSPF/SDSTPS/NLR/ML/D.No.259/2017, Dated: 11.04.2017 of the Asst. Commandant , APSPF, SDSTPS, Nellore.
- 4) C.No.03/AC/APSPF/SDSTPS/NLR/ML/D.No.359/2017, Dated: 15.05.2017 of the Asst. Commandant , APSPF, SDSTPS, Nellore.

- 5) C.No.03/AC/APSPF/SDSTPS/NLR/ML/D.No.511/2017, Dated: 10.07.2017 of the Asst. Commandant, APSPF, SDSTPS, Nellore.
- 6) C.No.03/AC/APSPF/SDSTPS/NLR/ML/D.No.628/2017, Dated: 08.09.2017 of the Asst. Commandant , APSPF, SDSTPS, Nellore.
- 7) C.No.03/AC/APSPF/SDSTPS/NLR/ML/D.No.744/2017, Dated: 30.10.2017 of the Asst. Commandant , APSPF, SDSTPS, Nellore.
- 8) C.No.03/AC/APSPF/SDSTPS/NLR/ML/D.No.866/2017, Dated: 27.12.2017 of the Asst. Commandant , APSPF, SDSTPS, Nellore.
- 9) C.No.03/AC/APSPF/SDSTPS/NLR/ML/D.No.976/2018, Dated: 20.02.2018 of the Asst. Commandant , APSPF, SDSTPS, Nellore.

ANNEXURE- III

List of Witness

- 1) The Asst. Commandant , APSPF, SDSTPS, Nellore.

Statement of imputations of gross misconduct in support of Article of charge framed against Sri K.V.Sudhakr, CT-2831, APSPF, SDSTPS UNIT, SUB-UNIT NCCPPL, NELLORE

Sri K. V. Sudhakar, CT-2831 of APSPF, SDSTPS, Nellore, Sub-Unit: NCCPPL, Nellore is a native of Prakasam District. His date of Birth is 20.06.1980. He was appointed as Constable in APSPF on 06.01.2002 and in such capacity he has been discharging his duties in APSPF Sub-Unit, NCCPPL, Nellore.

That the said Sri K. V. Sudhakar, CT-2831 was passported to avail Medical Leave for a period of (14) days w.e.f. 15.03.2017 AN to 29.03.2017 AN. Even after expiry of the said leave, he did not attend for duties and absenting the duties unauthorizedly w.e.f. 29.03.2017 AN by adopting irregular procedure for extending sick leave which amounts to willful absence.

Sri K. V. Sudhakr, CT-2831 absented the duties by simply sending extension of leave from time to time on his own defying the procedure laid down for this purpose. Therefore, his act of unauthorized absence amounts to willful absence for a prolonged period.

By the above act, he has exhibited gross misconduct and negligence towards his legitimate duties, which is un-becoming of a Government servant thereby violating Rule-3 of APSCS (Conduct) Rules-1964.

5) Case of Disciplinary Authority: I have examined 01 witness on behalf of prosecution as cited in the memorandum of charge and recorded their statements.

6) Statement of Sri.B.Y.M.REEDY NAICK, S/o B. Laxman Naick, Age: 53 years, Asst. Commandant, APSPF, SDSTPS, AP GENCO Nelaturu, Nellore, Recorded on 11.06.2018 at the O/o AC. SPF.SDSTPS. Nellore.

I, B.Y.M.Reddy Naick am working as Assistant Commandant, APSPF, SDSTPS, AP Genco, Nellore w.e.f. 07.04.2015. I am will acquainted with the case and I depose my statement as follows :-

Sri K. V. Sudhakar, CT-2831 of APSPF, SDSTPS Unit, sub-unit NCCPPL, Nellore has reported sick on 15.03.2017 and submitted a representation stating that he was suffering from ill health and requested to issue sick passport to take necessary medical treatment. Accordingly, he was issued sick passport on 15.03.2017 at 13.00 Hrs to appear before the Medical Officer, Govt., Hospital, Varigonda, T.P.Gudur (M), Nellore District to undergo necessary medical checkup and treatment. The Medical Officer, Govt., Hospital, Varigonda, T.P.Gudur (M), Nellore district has examined him and advised to take rest for 2 weeks from 15.03.2017 AN. Accordingly, he was issued M.L passport to avail 2 weeks i.e. (14) days M.L w.e.f. 15.03.2017 AN to 29.03.2017 AN. The same was intimated to the kind Commandant, APSPF, HQrs, Tirupathi vide C.No: 03/AC/ SPF/ SDSTPS/ NLR/ML/D.No: 182/2017, Dated: 16.03.17. After availing 14 days medical leave, he is due to report for duty from M.L on 29.03.2017 AN, but he did not turn up for duty and became OSL from Medical Leave w.e.f. 29.03.2017 AN onwards. The same was intimated to the kind Commandant, APSPF, HQrs, Tirupathi vide C.No: 03/AC/ SPF/SDSTPS/NLR/ML/D.No:240/2017, Dated: 04.04.17. After the said CT-2831 Sri K.V.Sudhakar has adopted irregular sick procedure in extending sick leave in 8 spells from 29.03.2017 AN to 10.06.2018. The same was intimated to the kind Commandant, APSPF, HQrs, Tirupathi. The details of adopted irregular sick procedure in extending sick leave are mentioned below as per medical certificates issued by Civil Assistant Surgeon, Osmania General Hospital, Hyderabad.

S.No.	No. of days Extension	From	To	Reference
1.	6 weeks	29.03.2017 AN	09.05.2017	C.No:03/AC/SPF/SDSTPS/ NLR/ML/DNo:259/2017, Dated: 11.04.17
2.	8 weeks	10.05.2017	05.07.2017	C.No:03/AC/SPF/SDSTPS/ NLR/ML/D. No:359/2017, Dated: 15.05.17.
3.	8 weeks	05.07.2017	30.08.2017	C.No:03/AC/SPF/SDSTPS/ NLR/ML/D.No:511/2017, Dated: 10.07.17.
4.	8 weeks	30.08.2017	25.10.2017	C.No:03/AC/SPF/SDSTPS/ NLR/ML/D.No:628/2017, Dated: 09.09.17
5.	8 weeks	25.10.2017	20.12.2017	C.No:03/AC/SPF/SDSTPS/ NLR/ML/D.No:744/2017, Dated: 30.10.17
6.	8 weeks	20.12.2017	14.02.2018	C.No:03/AC/SPF / SDSTPS/ NLR /ML/D.No:866/2017, Dated: 27.12.17
7.	8 weeks	14.02.2018	11.04.2018	C.No: 03/AC/SPF/SDSTPS/ NLR/ML/D.No:976/2018, Dated: 20.02.18.
8.	2 Months	11.04.2018	10.06.2018	C.No:03/AC/SPF/SDSTPS/ NLR/ML- OSL/ D.No: 1082/ 2018, Dated: 23.04.2018

Further, Sri K. V. Sudhakar, CT-2831 of APSPF, SDSTPS Unit, sub-unit NCCPPL, Nellore has continuously adopted irregular sick procedure in extending sick leave and whereabouts are not known.

Further, a Memorandum of Charge framed against Sri K.V.Sudhakar, CT-2831 was received to this office vide Rc.No: 02/A3/Comdt.Hqrs/APSPF/TPT/2018, Dt: 20.03.2018. due to he is on OSL, the Memorandum of charge copies was sent to his residential address i.e. Sri K.V.Sudhakar, CT-2831, H.No: 8-3-3I/B/255, Srikrishna Nagar, Yusufguda, Hyderabad, Telangana State through register post on 31.03.2018. The same was intimated to the kind Commandant, APSPF, HQrs, Tirupathi vide C.No: 25/AC/APSPF/SDSTPS/ NLR/Ack./D.No: 1048/2018, Dated: 02.04.2018. But the register post was not received by him and return back to this office with postal remarks that the "Not claimed, hence returned". Again the Memorandum of charge copies was sent to his native address i.e. Sri K.V.Sudhakar, S/o K.Hanumathna Rao, Nakkabokkalapadu (V), Ballikuruva (M), Prakasam (Dist)-523001 through register post on 20.04.2018. The same was intimated to the kind Commandant, APSPF, HQrs, Tirupathi vide C.No:25/AC/APSPF/SDSTPS/NLR/Ack./D.No:1082/2018, Dated: 23.04.2018. But the same registered postal cover has return to this office with postal remarks that the "Address Left". The same registered postal cover with postal remarks on the registered postal cover containing un-served Memorandum of charge is sent to the kind Commandant, APSPF, HQrs, Tirupathi vide C.No: 25/AC/APSPF/SDSTPS/ NLR/Ack./ D.No: 1085/2018, Dated: 27.04.2018.

Further it is informed to the enquiry officer that the said CT-2831 has continuously absented from his legitimate duties for a long period of (453) days from 15.03.2017 AN to 11.06.2018 AN by adopted irregular sick procedure in extending sick leave.

Cross Examination by CO: Not attended.

7) A) List of prosecution documents:- Perused the documents according to the Article of charges framed against Sri K.V.Sudhakar, CT-2831 of APSPF, SDSTPS Unit, sub-unit NCCPPL, Nellore.

B) List of defence documents:- *He has not attended for OE.*

8) Analysis and Findings of the Enquiry:-

I have gone through the entire OE file and PW statement, it is clearly established that:-

1. The OE was conducted on 11.06.2018 in office of the Assistant Commandant, APSPF Unit Nellore and PW has only attended for OE, but the AGS Sri K.V. Sudhakar, CT-2831 of APSPF, SDSTPS, Nellore District has not attended for OE, hence ex parte.
2. Charged officer, Sri. K.V. Sudhakar, CT-2831 of APSPF, SDSTPS, Nellore District has availed Medical Leave (14) days w.e.f. 15.03.2017 to 29.03.2017.

3. The charged officer, Sri K.V.Sudhakar, CT-2831 has extended Medical Leave frequently in 8 spells w.e.f. **29.03.2017 AN onwards** by sending ML documents through post by adopting irregular sick procedure, who has approached directly to the Medical officer (Civil Assistant Surgeon) , Osmania General Hospital, Hyderabad without obtaining sick and ML passports from the SPF department.
4. If he is really suffering with ill health, his case if genuine, he should approach to his unit officer APSPF unit, SDSTPS, AP Genco, Nellore (parent unit) or the nearest SPF units
5. at Hyderabad city for further sick extension. He adopted irregular sick procedure completely. As per the leave procedure the SI and above cadre can avail medical rest by approaching the Medical officers in Government Hospital by intimating to their higher cadre of SPF authorities and the men up to ASI should approach to the SPF unit Incharge for availing medical leave. This is very long irregular sick period for extending sick leave, which amounts to wilfully absence is fact..

9) **OPINION**:- On the basis of the documentary and oral evidence adduced before me and keeping in view of the above findings I hold the article of charge framed against Sri. K.V.Sudhakar, CT-2831 of APSPF, SDSTPS, Nellore District as he is adopting irregular sick procedure for extending sick leave from 29.03.2017 AN onwards in 8 spells mentioned above in PW statement is absolutely "PROVED".

Certified that the procedure laid down in the Rule 20 of APCS (CCA) rule 1991 has been followed correctly in conducting of the Enquiry.

K. RADHA KRISHNA,
Enquiry Officer,
INSPECTOR,
SPF Unit, UCIL, Tummalapalle.

Date: 21-06-2018.

To
Sri K.V. Sudhakar, CT-2831 of APSPF, SDSTPS,
Sub-Unit: NCCPPL, Nellore.
through the Assistant Commandant, APSPF, SDSTPS, Nellore.

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